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SUBJECT: GUIZHOU PROVINCE: GREEN INITIATIVES BELIE ITS CONSERVATIVE
IMAGE

REF: A) CHENGDU 230; B) CHENGDU 162

CHENGDU 00000277 001.2 OF 004

11. (U) This cable contains sensitive but unclassified
information - not for distribution on the Internet.

12. (SBU) Summary: Southwest China's Guizhou Province, an early
adopter of Beijing's relatively new "Ecological Culture" policy,
has become a leader on some environmental issues. Guizhou
established China's first environmental court, claims to foster
a greater role for civil society in environmental issues, and
has its own "Cities with an Ecological Culture" initiative.
Officials claim Guizhou has aggressive policies addressing
biodiversity, wastewater, and solid waste, and credit frequent
interactions with U.S. government agencies and the International
Crane Foundation, a U.S. NGO, as instrumental to their success.
End Summary.

Guizhou: Embracing "Ecological Culture"

13. (SBU) Introduction: The enormous environmental damage
wrought by 30 years of overemphasis on GDP growth has forced
Beijing to shift its focus to environmentally-balanced growth,
Qu Liya, deputy director of the Guizhou Environmental Protection
Agency (EPA), told Consul General recently in the provincial
capital of Guiyang. [Note: The "Ecological Culture" (shengtai
wenming; often translated as "Ecological Civilization") concept
became part of Party doctrine at the 17th Congress of the
Chinese Communist Party held in 2007. End note.] "Ecological
Culture" is part of China's broader "Scientific Development"
[kexue fazhan] strategy, Qu explained. While environmental
strategy is crafted in Beijing, provinces have considerable
latitude in its implementation, she said. (Comment: Although
provincial government bureaus have two masters, the head of
their counterpart agency in Beijing and the provincial party/
government leadership, provincial organizations exercise more
control through budgetary funding, and control of all but the
most senior assignments. End Comment.)

Leading China in Environmental Law

¶4. (SBU) In 2007, the cities of Guiyang and Qingzhen established China's earliest environmental protection courts, Qu stated. The majority of their cases thus far have been related to water pollution. The courts also handle cases of misconduct by environmental officials. In 2008, the Qingzhen City EPA director was sentenced to three years imprisonment for accepting bribes from polluting factories. The Guiyang Intermediate People's Court is particularly noteworthy for a case in which the All-China Environmental Foundation (ACEF), a government-sponsored NGO (GONGO), was allowed to sue a government body, the Guizhou Province Land and Resources Administration. In the words of a Greenlaw legal blogger, the Guiyang Court "can be considered to have made the boldest judicial attempts in advancing public interest litigation by the environmental courts" (ref A).

¶5. (SBU) Qu laid out three reasons which prompted Guizhou to establish such courts:

- a) Water protection was especially emphasized in Guizhou (probably in part due to concerns about mining-related pollution);
- b) Guizhou sought clearer jurisdictional rights to empower lower-level courts to handle cases within their jurisdiction (as opposed to administrative remedies that may have been applied more arbitrarily); and,
- c) Courts provided fair, consistent enforcement mechanisms.

CHENGDU 00000277 002.2 OF 004

¶6. (SBU) Lawyers in Guizhou have begun to specialize in environmental law, Qu said. In 2005, about 20 Guizhou environmental lawyers participated in training sponsored by the American Lawyers Association. In 2008, the American Lawyers Association again returned to Guizhou to study the development of Guizhou's environmental courts.

Burgeoning Role of Civil Society

¶7. (SBU) Environmental groups dominate China's limited but growing NGO sphere, Qu said, and she expects an increased role for them in civil society in the future. After the Guizhou Environmental Science Society broke away from the Guizhou EPA, where it had been a government-sponsored NGO (GONGO), the group began to operate "independently" as a full-fledged NGO. Qu stated that companies, social organizations, or individuals have the right to sue polluters or even the government. In cases where EPA investigation and mediation fail to resolve a dispute, she added, a case will then be raised to an environmental court. Qu was unaware, however, of any examples of individuals or other civil society groups lodging complaints against the government.

¶8. (SBU) Comment: Qu made hopeful statements that civil society was playing an increasingly important role in environmental policy in Guizhou, but provided few concrete examples. We had never previously heard of a GONGO evolving into an independent NGO, as in the case of the "Guizhou Environmental Science

Society." In China, being a "full-fledged" NGO requires registration with the Civil Affairs Bureau and a local government office "sponsor" to oversee its work. This "NGO" sounds more like club of researchers than a mass organization -- the former something the Chinese Government might tolerate, the latter something that might alarm it.

¶9. (SBU) Comment continued: That Qu was unaware of any civil society groups lodging complaints against the government may be a sign that there are few such cases or an unwillingness to discuss a sensitive topic. A fully independent NGO would have great difficulty filing a lawsuit since it would probably lack legal standing. While Guizhou Province set a precedent by allowing a GONGO to file a case, GONGOs have been reluctant to take on more sensitive cases. The real breakthrough, a true NGO filing suit, has yet to come. (ref A). End Comment.

Greening Guizhou: "Cities with an Ecological Culture"

¶10. (SBU) Consistent with Beijing's Ecological Culture initiative, Guizhou officials have crafted the "Ecologically Civilized Cities" initiative. Based on guidelines set forth by Qinghua University and the National EPA, the Guizhou cities of Guiyang, Anshun, Qingzhen, Kaiyang, and Zunyi have embraced the initiative. "Ecological Culture" is a group of ecology-friendly values affirmed at the 17th Congress of the Chinese Communist Party in 2007, including forestation, clean water, energy efficiency and low carbon emissions that are to be implemented by making them part of the guidelines for determining which officials are fit for promotion. Linking promotions to progress is a key change in a personnel evaluation system that, up to now, has had a blind, Soviet-like focus on GDP growth. Guiyang, moreover, has been chosen to be a model for the rest of China in balancing industrial development with environmental protection, Qu added. Reflecting its importance, Guiyang has hosted the national "Summit on Ecological Culture" multiple times.

Drawbacks of GDP: Looking to Alternate, Green Yardsticks

CHENGDU 00000277 003.2 OF 004

¶11. (SBU) According to an October 2009 Xinhua press agency report, Guizhou "will improve its responsibility examination and evaluation system by diversifying it and putting energy conservation and environmental considerations into the evaluation system so as to create an incentive system that will promote the production of high efficiency energy saving and environmentally friendly products, and put extra effort on this in certain key areas and key industries and put extra stress on energy conservation in enterprise management." (URL at <http://tinyurl.com/guizhou-ecologicalculture>) Much of the talk of "ecological culture" in official statements is discouragingly vague. Guizhou's intention to use a yet unpublished "ecological culture" to decide which officials will be promoted is a hopeful sign. We'll see from the results after the ecological culture-based evaluation system is put into effect. End comment.] End comment.

U.S. Cooperation and the International Visitors Program

¶12. (SBU) Twelve years ago, the Wisconsin-based International Crane Foundation (ICF) sponsored a series of projects to improve villagers' living conditions, and protect the crane population in Weining County's Caohai wetlands. The projects were so successful that the Organizational Department of the Communist Party used it as a model for other biodiversity projects throughout China. Since that time, Guizhou has continued to cooperate with the state of Wisconsin on environmental protection and biodiversity. Guizhou has also since partnered with the United States on coal bed methane extraction techniques, which make use of otherwise wasted methane gas as an energy source. Last July, Qu and others from Guizhou EPA travelled to Washington, D.C. to study water management as part of the State Department's Voluntary Visitors Program. Qu was particularly impressed by environmental coordination between government, civil society, and individuals in the United States.

Wastewater Treatment

¶13. (SBU) Guizhou EPA has taken several concrete steps to improve water quality:

a) Industrial Waste Water: All new factories must now obtain EPA permission before beginning production. Old factories that violate wastewater policies must rectify their practices within a certain period of time, or risk being shut down.

b) Domestic Waste Water: The Guizhou EPA plans on building waste water treatment plants in Guiyang, nine other cities, and all 88 county capitals of Guizhou by June 2010. Japanese firms have provided some of the necessary technology. U.S.-based firm Western Water Group also has several contracts to build plants in Guizhou, but a critical lack of piping systems that would link the plants to the city sewerage systems poses significant challenges (Ref B). At the town and village level, two enormous challenges still remain:

-- First, many villages are scattered in remote, mountainous areas which would make building waste treatment plant prohibitively expensive.

-- Second, public finance is a problem. Beijing has promised matching funds, but most towns and villages cannot afford to pay their share under the matching scheme. Beijing is considering funding the entire project, but facilities would have to be built slowly on a village-by-village basis.

Solid Waste Treatment

CHENGDU 00000277 004.2 OF 004

¶14. (SBU) According to Qu, Guizhou Province is the leading producer of industrial solid waste in China due to its heavy mining sector. Through technological breakthroughs, Guizhou now has a high rate of comprehensive utilization of solid waste. She mentioned a new power plant in Zunyi, which operates

entirely on industrial waste from aluminum and ferroalloy factories. The Guizhou Economic Commission has offered financial incentives to reuse solid waste. However, this has caused problems with solid waste being recycled in unsafe ways. To combat this problem, Beijing issued standards on what types of solid waste can and cannot be recycled. Guizhou EPA has instituted a monitoring and control system to enforce these new rules, but still needs to improve these further, Qu said.

Conclusion:

Guizhou Early Adapter of Leading Edge Environmental Policies

¶15. (SBU) Although one of China's poorest and most politically conservative provinces, Guizhou claims to have been one of its more innovative in promoting environmental protection. We believe two main factors drive Guizhou's interest in environmental protection.

-- First, Guizhou's economy relies heavily on its mining sector. Authorities recognized early on the damage that resulted from unchecked development, and became an early leader in promoting environmental protection.

-- Second, Guizhou, like Yunnan, is renowned for its natural beauty, minority populations, and tourist destinations. Authorities realized the current and future importance of a vibrant tourism industry and how this ties in with environmental protection and economic goals.

BROWN